UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND (Northern Division)

, WILLIAM M. SCHMALFELDT, SR 3	
6636 Washington Blvd., Lot 71	
Elkridge, MD 21075	
Pro _c Se Plaintiff	
v. ,)	Case #_1:15-cv-01241-RDB
PATRICK G. GRADY	
aka "Paul Krendler"	
1103 Chesapeake Ct.,	
Palatine, IL 60074	
Co-defendant)	
SCOTT HINCKLEY	
aka "Agiledog)	
31 Lawton Rd	
Shirley, MA 01464)	
Co-defendant)	
DAVID EDGREN, Esq.	
1150 S. Grantham Rd.)	
Wasilla, AK 99654	
Co-defendant)	
"ROY SCHMALFELDT"	
A pseudonymous blogger)	
Co-defendant)	
)	
"GRACE" aka "GRACE3G"	
A pseudonymous blogger)	
Co-defendant)	
)	
"ASHTERAH" aka "DREAD PIRATE)	
ZOMBIE MORGANA"	
A pseudonymous blogger)	
Co-defendant)	
WHOWARD FARIN	
"HOWARD EARL"	
A pseudonymous blogger	
Co-defendant)	

JUL 6 2015

CLERK OF BALTIMORE

CLERK OF MARYLAND

WMS 7/2/15/2927/12M
Deleted:
WMS17/2/15/2127 PM
Deleted:)
WMS17/2/15/2/27/PM
Deleted:
WMS17/2/15/2/27/PMI
Deleted: ,
WMS 7/2/15/2127/PM
Deleted:)
WMS 7/2/15/2/27 PM
Deleted:
MMS 7/2/15/2/27/PM
Deleted:
MMS 7/2/15/2/27/PM
Deleted:
WMS 7/2/15:2/27 PM
Deleted:
MMS[7/2/15]27iPM
Deleted:
WMS 772715 2:27 PM
Deleted:
MMS[7/2/15]2727/PM
Deleted:
WMS 7/2/15/27/PM
Deleted:
MMS17/27.15127271PM
Deleted: Defendant

PLAINTIFF'S FIRST AMENDED COMPLAINT FOR DEFAMATION, AND FALSE LIGHT INVASION OF PRIVACY, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, JOINING CO-DEFENDANTS, JURY DEMAND

INTRODUCTION

NOW COMES pro-se plaintiff William M. Schmalfeldt, Sr., ("plaintiff") with this first amended complaint to recover damages inflicted by Patrick G. Grady, ("defendant") and joining co-defendants Scott Hinckley, David Edgren, and four pseudonymous bloggers: "Roy Schmalfeldt" formerly known as "Leroy Oddswatch", "Grace" aka "Grace3g", "Howard Earl" and "Ashterah" aka "Dread Pirate Zombie Morgana" (co-defendants with pseudonymous bloggers to be identified via the subpoena process) for engaging in tortious conduct, including but not limited to Defamation, False Light Invasion of Privacy, Intentional Infliction of Emotional Distress and Conspiracy in violation of Maryland Law and Common Law.

- 2. The genesis of this conspiracy was February 8, 2014 when Defendant Grady ignored the clearly stated warning of Plaintiff on his then blog that any further profane, obscene or defamatory comments by anonymous commenters on his blog would be met by having the commenter's identity exposed on Plaintiff's blog. Defendant Grady sent a profane comment shortly thereafter and Plaintiff was able to track him through IP addresses, former blogs and other means to identify him as Patrick G. Grady.
- 3. In March 2014, Defendant Grady started a blog devoted to defaming

 Plaintiff. He first posted items he had posted on his other blogs under his own name, but

 eventually gave himself the pen name of "Paul Krendler."
- 4. In time, Grady's readership grew. He caught the attention of non-party

 WJJ Hoge III of Westminster, MD, and the two formed a business alliance when Hoge

WMS 7/2/15 2.27 PM

Deleted: ORIGINAL

WMS 7/2/15 2.27 PM

Deleted: Plaintiff

WMS 7/2/15 2.27 PM

Deleted: (SCHMALFELDT) hereby brings

WMS 7/2/15 2.27 PM

Deleted: Defendant

WMS 7/2/15 2 27 PM

Deleted: (GRADY WMS 7/2/15 2:27 PM

Deleted: (1) Libel Per Se (2)

WMS 7/2/15 2:27 PM

Deleted: (3)

WMS 7/2/15 2:27 PM

Deleted: . 2. . This case arises out of GRADY's anger over a harsh response he got to an unsolicited, anonymous comment on SCHMALFELDT's now-dormant blog patriot-ombudsman.com. SCHMALFELDT had stated previous to February 8, 2014, that any anonymous attacks in the comment section of his blog would be dealt with harshly. Knowing this, GRADY filed an obscenitylaced, defamatory comment to SCHMALFELDT'S blog on February 7, 2014. SCHMALFELDT responded by following the IP address WordPress provides for each comment, tracing the source, connecting the source to other Internet identities associated with the same IP address, and learned the true name and address of the offending commenter through completely legal means, using information freely available online. Without revealing any information, such as home address, telephone number, and other PII, SCHMALFELDT made good on his threat to show other potential spam troll commenters that his threats were to be taken seriously. This did not sit well with GRADY, who later admitted himself to be suffering from Bipolar Disease and called himself a "highly functioning sociopath". This led to GRADY dropping his former Palatine Pundit identity, adopting a pseudonym of Paul Krendler (the FBI agent who has the top of his head sawed off in the movie "Hannibal", the creation of a members-only blog, then a public blog, all the while ramping up the hate level and his apparent obsession with punishing SCHMALFELDT for his rejection of GRADY's comment.

purchased the "world book and e-book rights" to a particularly foul bit of defamation of plaintiff and his then-living wife. This relationship continues through this day, with non-party Hoge, a Maryland resident, providing legal assistance, advice, and hand-delivering Grady's court briefs to the Clerk of the Court. The original complaint included only Mr. Grady. Plaintiff hereby expands the complaint under F.R.C.P. 20(a)(2) to add four more defendants having identified anonymous personages since filing the original complaint.

THE PARTIES

 Defendant Patrick G. Gra 	dy resides in Palatine, in Cook County, Illinois.
He is employed in some technical capaci	ity at a company identified on his LinkedIn
profile.	
6. Co-defendant Christopher	r Hinckley resides in Shirley, MA. He co-owns
and operates a training facility for dogs.	He is a frequent commenter on the blogs of Mr.
Hoge, Mr. Grady and Ms. Ashleigh under	er the handle "agiledog."
7. Co-defendant "Grace," al	sa "Grace3g" is a pseudonymous blogger to be
identified through the subpoena process.	•
8. Co-defendant "Ashterah"	aka "Dread Pirate Zombie Morgana", a
pseudonymous blogger to be identified t	hrough the subpoena process who operates a blog
at http://billysez.wordpress.com a blog	g completely dedicated to defaming Plaintiff.
9. Co-defendant "Roy Schm	alfeldt" formerly known as "Leroy Oddswatch",
a pseudonymous blogger to be identified	through the subpoena process.
10. Co-defendant David Edgr	ren, Esq., is a retired attorney residing in Wasilla,
AK. He provides graphic assistance to D	efendant Ashleigh on her blog.

WMS 7/2/15 2:27 PM

Deleted: 4. SCHMALFELDT

11. Co-defendant "Howard Earl," a pseudonymous blogger claiming to live in	
Arizona, posts particularly filthy commentary about Plaintiff and Plaintiff's late wife.	
12. Plaintiff William M. Schmalfeldt, Sr., is a recently-widowed 60-year old	
disabled person, living on a government pension in Elkridge, MD,	

JURISDICTION AND VENUE

- Jurisdiction is proper in this court pursuant to 28 USC \$1332 (diversity of citizenship) as Schmalfeldt lives in Maryland, Grady lives in Illinois, Hinckley lives in Massachusetts, Edgren lives in Alaska, The residences of the pseudonymous bloggers will be revealed through the subpoena process. The matter in controversy exceeds \$75,000.
- 14. Jurisdiction is also applicable under 13 USC 1367(a) which covers supplemental jurisdiction over causes of action based on state law.
- appropriate here under 28 USC § 1391 in that the harassment, emotional distress, false light invasion of privacy and all other allegations occurred to Plaintiff while residing in the State of Maryland. Plaintiff has opened a complaint with the Howard County Police against Defendant Grady, alleging extortion. (Case #15-62852) On June 30, Plaintiff sent an e-mail to Carroll County Police and WJJ Hoge III, He sent the same e-mail to Codefendant Hinckley's wife. The e-mail contained a photo of Plaintiff's dying wife, taken on June 2. On July 1, Defendant Grady's blog contained an extortionate threat to spread the picture all over the Internet. This is an unpublished photo, sent to Mr. Hinckley, law enforcement, and Mr. Hoge. It is clear that either Defendant Hinckley or non-party Hoge sent the photo to Defendant Grady, who promised to flood the Internet with the photo

WMS 7/2/15 2.27 PM

Deleted: Navy veteran, broadcaster, journalist and writer-editor for the federal

WMS 7/2/15 2 27 PM

Deleted: who retired due to advancing Parkinson's disease in March 2011. He lives

WMS 7/2/15 2:27 PM

Defeted: , with his wife of 25 years

WMS 7/2/15 2 27 PM

Deleted: .5. . GRADY is a 49-year old, residing in Palatine, 1L, employed in some computer-related position at the Office Max location in Naperville, IL.

VMS 7/2/15 2:27 PM

Deleted: 6. This Court has jurisdiction over

WMS 7/2/15 2.27 PM

Deleted: action

WMS 7/2/15 2.27 PM

Deleted: §

WMS 7/2/15 2:27 PM

Deleted: SCHMALFELDT and GRADY are from different states and

WMS 7/2/15 2 27 PM

Deleted: the sum or value of

WMS 7/2/15 2:27 PM

Deleted: , as well as 28 USC §

WMS 7/2/15 2 27 PM

Deleted: .7.. Venue is proper in the District of Maryland under 28 USC § 1391 in that the Plaintiff resides in Maryland, the terror and harassment and other allegations in this complaint occurred in Maryland, and, as will be alleged, GRADY attempted to interfere in a proceeding taking place in a Maryland courtroom.

STATEMENT OF FACTS

to commit the torts as alleged. By coordinating their activities on the Hogewash.

Thinking Man's Zombie, and "Billy Sez" blogs, they were able to update each other on activities taken against the Plaintiff and the amount of harm they were able to inflict. As a result, there are three blogs used as a clearing house and meeting place where named and pseudonymous could target and attack, threaten and annoy Plaintiff.

FIRST CAUSE OF ACTION - DEFAMATION (Per-Se)

- statement to a third person, (2) that the statement was false, (3) that the defendant was legally at fault in making the statement, and (4) that the plaintiff thereby suffered harm. A defamatory statement is one 'which tends to expose a person to public scorn, hatred, contempt or ridicule, thereby discouraging others in the community from having a good opinion of, or associating with, that person.'" Offen v. Brenner, 402 Md. 191, 935 A.2d 719 (2007), quoting Smith v. Danielczyk, 400 Md. 98, 115, 928 A.2d 795, 805 (2007).
- character is a self-evident fact of common knowledge of which the court takes judicial notice and need not be pleaded or proved. In the case of words or conduct actionable only per quod, the injurious effect must be established by allegations and proof of special damage and in such cases it is not only necessary to plead and show that the words or actions were defamatory, but it must also appear that such words or conduct caused

WMS 7/2/15 2:27 PM

Deleted: 8. To prove the tort of "Defamation" in Maryland, the plaintiff is required to show: ℓ

WMS 7/2/15 2.27 PM

Deleted: 9. To qualify as "Defamation Per Se", "In the case of words or conduct actionable per se, their injurious character is a self-evident fact of common knowledge of which the court takes judicial notice and need not be pleaded or proved. In the case of words or conduct actionable only per quod, the injurious effect must be established by allegations and proof of special damage and in such cases it is not only necessary to plead and show that the words or actions were defamatory, but it must also appear that such words or conduct caused actual damage. " M & S Furniture v. De Bartolo Corp., 249 Md. 540, 544, 241 A.2d 126, 128 (1968). A statement which falsely charges a person with the commission of a crime is defamatory per se (A. S. Abell Co. v. Barnes, 258 Md. 56 (1970); as is a statement of unchastity or immorality, particularly against a woman. In defamation per se cases, the plaintiff does not have to prove actual damage in order to successfully litigate his or her case because the defamatory statements are enough to bring ruin to his or her reputation.

23. The entire reason for the existence of these blogs is to give GRADY a platform – one public, the other members-only, – from which to libel and defame SCHMALFELDT. The "per se" nature of the defamation is evidenced on the very face of GRADY's many blog posts about SCHMALFELDT. If they were true, what community would not expel this vile stain on humanity from its midst? Yet, GRADY's loyal cadre if readers soak it up like sponges, yap for more, and assist GRADY in finding new items with which to terrorize the SCHMALFELDT family.

19. The defamation of defendants is per se in nature. 20. The plaintiff incorporates ¶\8 through 10 of his original complaint as they apply to Defendant Grady. Co-plaintiff Christopher Hinckley defamed Plaintiff on numerous occasions as demonstrated in EXHIBIT G. Co-defendant "Grace" defamed Plaintiff by publishing untrue, defamatory statements about Plaintiff on Hogewash, Thinking Man's Zombie, and Billy Sez, as shown in EXHIBIT H. Co-defendant Edgren defamed Plaintiff by using a copyrighted photo of Plaintiff - despite objections of Plaintiff, the copyright holder - to publish out-of-context snippets of Tweets made by Plaintiff, as shown in EXHIBIT I. Co-defendant "Ashterah" defamed Plaintiff by publishing untrue, false, defamatory statements about Plaintiff on her "Billy Sez" blog, as shown in EXHIBIT J. Co-defendant "Roy Schmalfeldt" has published multiple defamatory statements regarding plaintiff, including calling plaintiff a "rapist." EXHIBIT K. Co-defendant "Howard Earl" has published multiple defamatory statements and images regarding plaintiff, referring to him as a wife abuser, demanding that he kill himself. EXHIBIT L SECOND CAUSE OF ACTION - FALSE LIGHT INVASION OF PRIVACY. 27. Plaintiff re-alleges and incorporates every paragraph above.

actual damage." M & S Furniture v. De Bartolo Corp., 249 Md, 540, 544, 241 A,2d 126,

WMS 7/2/15 2,27 PN

Deleted: (1968). A statement which falsely charges a person with the commission of a crime is defamatory *per se* (A. S. Abell Co. v. Barnes, 258 Md. 56 (1970); as is a statement of unchastity or immorality, particularly against a woman. In defamation *per se* cases, the plaintiff does not have to prove actual damage in order to successfully litigate his or her case because the defamatory statements are enough to bring ruin to his or her reputation.

WMS 7/2/15 2:27 PM

Deleted: 23. The entire reason for the these blogs is to give GRADY a platform—one public, the other members-only,—from which to libel and defame SCHMALFELDT. The "per se" nature of the defamation is evidenced on the very face of GRADY's many blog posts about SCHMALFELDT. If they were true, what community would not expel this vile stain on humanity from its midst? Yet, GRADY's loyal cadre if readers soak it up like sponges, yap for more, and assist GRADY in finding new items with which to terrorize the SCHMALFELDT family.

WMS 7/2/15 2.27 PM

Deleted: False Light Invasion of Privacy

WMS 7/2/15 2 27 PM

Deleted: . 24. . SCHMALFELDT

Generally speaking, a false light claim requires the following:

a. The defendant published the information widely (i.e., not to just	(MARA 7/2/45 2
a single person, as in defamation);	WMS 7/2/15 2.27 PM Deleted: 25. False light is a term often used in the context of invasion of privacy
b. the publication identifies the plaintiff;	claims which involves presenting a person in such a way that leaves a negative and inaccurate impression about that person. False light is a tort theory under which a claimant might sue for damage to reputation. The tort is
c. it places the plaintiff in a "false light" that would be highly	defined in Restatement (Second) of Torts, Sec. 652E as:
offensive to a reasonable person, and	
	WMS 7/2/15 2:27 PM Deleted: "
d. the defendant was at fault in publishing the information.	WMS 7/2/15 2:27 PM
	Deleted: (2)
See Restatement (Second) of Torts § 652E,	WMS 7/2/15 2:27 PM
	Deleted: actor
29. Plaintiff incorporates ¶ 14-23 of his original complaint as they related to	
Defendant Grady.	
30. Co-defendant Scott Hinckley placed plaintiff in a false light by claiming	
Plaintiff was lying about his late wife's death on June 17.	
31. Co-defendant Scott Hinckley placed plaintiff in a false light by claiming	
Plaintiff "loves podcasting more than he loved Gail."	
33. Co-defendant Scott Hinckley placed plaintiff in a false light by claiming	
Plaintiff was a "Rectal Mouthpiece".	
34. Co-defendant Scott Hinckley placed plaintiff in a false light by claiming	
Plaintiff was stalking defendants by keeping tabs on their comments about him online.	
35. Co-defendant "Grace" placed plaintiff in a false light by claiming after	
Plaintiff's wife's death that Plaintiff had physically abused her.	WMS 7/2/15 2:27 PM
36. Co-defendant "Ashterah" placed plaintiff in a false light by claiming in	Deleted: knowledge of or acted in reckless disregard as to the falsity of
photo-shopped image of Plaintiff's late wife that Plaintiff was the cause of her suffering.	WMS 7/2/15 2 27 PM Deleted: publicized matter

- 37. Co-defendant "Grace" placed plaintiff in a false light by claiming several
 times that Plaintiff is a "Deranged Cyberstalker" and only death would stop Plaintiff.
 38. Co-defendant Edgren placed plaintiff in a false light, invading his privacy
- and right to publicity by publishing a daily feature on the "Billy Sez" website using a stolen, copyrighted photo of plaintiff and taking a portion of a Twitter comment made by plaintiff, out of context, to make plaintiff appear to be an evil monster.
- 39. Co-defendant "A shterah" placed Plaintiff in a false light and invaded his privacy and right to publicity by falsely claiming Plaintiff "has an odd fascination with "doxxing" women whose names start with Ash as well as those who live in North Carolina. Could there be a connection here? Is there a little girl from Biwwwyy's childhood with those two attributes who told him what a sack of shit he was that made him fixate in this manner? Who knows. This is the Tremulous Turd Burglar himself we are talking about. Eh! And now back to our regular interruption.
- 40. Co-defendant "Ashterah" placed Plaintiff in a false light and invaded his privacy and right to publicity by falsely claiming Plaintiff "William Schmalfeldt was a sick, twisted, deprayed and mockable person before his wife died. He remains a sick, twisted, deprayed and mockable person after she died. In fact, his whole schtick of using the shield of "oh, they are attacking a disabled person" that has now been amplified up to "oh, they are attacking a recently widowed disabled person" to deflect from the vile things he says on the internet is quite possibly the most disgusting thing we have seen in quite some while. And that is why we exist. As long as he continues to spread his filth far and wide, attack innocents just because he thinks they are some poster on the internet

WMS 7/2/15 2:27 PM

Deleted: false light in which

MAS 7/2/15 2 27 PM

Deleted: other would be placed

WMS 7/2/15 2:27 PM

Deleted: 26. In his member's only blog, GRADY asks his readers to send him any defamatory material they can come up with on SCHMALFELDT, even if they have to make it up. (Exhibit F) This included personal information, names, addresses of family members, my address, Google Earth shots of my home.

that offended him, and do the generally vile things he does on a daily basis, we will be
here."
41. Co-defendant "Ashterah" placed Plaintiff in a false light and invaded his
privacy and right to publicity by falsely claiming Plaintiff is bi-polar. "Aha! There really
aren't two Bills. Just one- Bipolar Bill. You can almost feel bad that someone can be so
emotionally_disturbed_out_in_public. <u>"I'll_help_you!" "I'll_hurt_you!" "I'll_help_you_and I'll</u>
hurt you!" Did I mention the *almost* part of feeling bad?"
42. Co-defendant "Roy Schmalfeldt" placed plaintiff in a false light and
invaded his privacy with his libelous assertion that plaintiff had "raped a person I
loved."
43. Co-defendant "Howard Earl" has a four-year long record of harassing
plaintiff, placing him in false light, proclaiming him to be a wife abuser, publishing
graphic images demanding plaintiff kill himself.
THIRD CAUSE OF ACTION - INTENTIONAL INFLICTION OF EMOTIONAL
DISTRESS
Plaintiff re-alleges and incorporates every paragraph above.
45. The elements for intentional infliction of emotional distress are; a.
Conduct must be intentional or reckless; b. Conduct must be extreme and outrageous; c.
There must be a causal connection between the wrongful conduct and the emotional
distress, D. Emotional distress must be severe.
See Harris v. Jones, 380 A.2d 611, 614 (Md. 1977).

WMS 7/2/15 2:27 PM Deleted: Intentional Infliction of Emotional Distress WMS 7/2/15 2.27 PM Deleted: 29. SCHMALFELDT WMS 7/2/15 2:27 PM Deleted: 30. As stated above, the WMS 7/2/15 2:27 PM Deleted: 281 Md 560 WMS 7/2/15 2:27 PM Deleted: (WMS 7/2/15 2.27 PM Deleted: 31

<u>46</u>.

To be successful in a suit for intentional infliction of emotional distress,

the emotional stress must "completely violate human dignity." Hamilton v. Ford Motor Co., 502 A.2d 1057, 1064 (Md. 1986). 47. Plaintiff incorporates \[31-37 \] of his original complaint as they relate to Defendant Grady. 48. Co-defendant Hinckley did intentionally inflict emotional distress on Plaintiff by claiming that, despite Plaintiff's post on the subject, Plaintiff's wife was not really dead and the whole thing was a scam. Co-defendant "Grace" did intentionally inflict emotional distress on Plaintiff by claiming that only death would stop Plaintiff from harassing people. Co-defendant Hinckley did intentionally inflict emotional distress on Plaintiff by claiming that only death would stop Plaintiff from harassing people. 51. Co-defendant "Grace" did intentionally inflict emotional distress on Plaintiff by posting images of Plaintiff's wife as a decomposing corpse, before and after her death. 52. Co-defendant "Ashterah" did intentionally inflict emotional distress on Plaintiff by posting an avatar of a decomposing female corpse on the news that plaintiff's wife had died. 53. Co-defendant "Roy Schmalfeldt" did intentionally inflict emotional distress on Plaintiff by claiming Plaintiff to be a rapist on the two week anniversary of the death of plaintiff's wife. Co-defendant "Howard Earl" did intentionally inflict emotional distress on plaintiff by posting images on plaintiff's Twitter timeline and the three above-mentioned blogs of people blowing their own brains out, demanding that plaintiff "Take the Cure"

WMS 7/2/15 2:27 PM

Deleted: be so great that no reasonable person could take it.

WMS 7/2/15 2:27 PM

Deleted: . 66 Md. App. 46, 61,

WMS 7/2/15 2:27 PM

Deleted: 32. . There can be no question that GRADY's behavior meets all the criteria set by the Harris and Hamilton courts. GRADY knew what he was doing. The more popular his blog became, the more delight he took in mocking me. "Making the Monkey Dance," is how he puts it. The extreme and outrageous nature of claiming that a person who does not even have a misdemeanor criminal record is a "deranged cyberstalker" and repeating it often enough to have the effect of "Google Bombing" Schmalfeldt is anti-social behavior at best. The repeated referral of SCHMALFELDT as a "tremulous turd burglar" (ironic mockery of SCHMALFELDT's Parkinson's disease since Schmalfeldt has the non-tremor variety of the disease), the other colorful nicknames employed over the past 15 months "Dumbfuck," "Lying Monkey Vulva," a "wifebeating sack of spongy penis meat"? Is this how people talk to each other? Is this to be the acceptable norm in society? Or is somebody, somewhere, going to enforce civility on those who seem to lack the ability to moderate their own behavior from behind assumed anonymity. As SCHMALFELDT has demonstrated, just because a person is anonymous today, a skilled investigator with years of experience, motivated by stopping the hatred being displayed by certain elements of the blogosphere, and patience, will eventually find out who you are. .

for his Parkinson's disease, posting images of plaintiff's late wife as a victim of domestic abuse, referring to plaintiff' late wife as a prostitute and alcoholic.

DAMAGES

The action of the defendants demonstrate an almost gleeful lack of regard for plaintiff's health or that of his wife. Defendants are certainly aware of the effect stress has on the progression of Parkinson's disease, and the emotional strain of seeing a perfect stranger mock his dying wife is are than Plaintiff can stand. This unbelievable malice toward an acknowledged handicapped person and his dying/deceased wife, the perverse gratification of causing this pain and suffering defendants exhibit, the malicious, ill-will, vengeance, spite and deliberate attempts to harm plaintiff, some demonstrated in this complaint, others to be evidenced by exhibits during trial. Accordingly, Plaintiff will request an award for damages beyond and in excess of those damages necessary to compensate plaintiff for injuries caused by the defendants' obsessive attacks. No amount of money will compensate plaintiff for what the defendants put him and his wife through. Plaintiff hopes for a large enough award to discourage other would-be attack trolls from engaging in this sort of heinous behavior.

56. The law allows for several categories of to be awarded in the case of defamation per se. General damages: The compensation for the past and future harm sustained to reputation in the community as well as mental or emotional anguish and personal humiliation. Special damages: The compensation for specific economic loss caused by the defamation. This can include things like loss of profits and loss of a job.

Nominal damages: A nominal sum that can be awarded when defamation per se has occurred but no serious harm to reputation was done. Punitive or exemplary damages:

Deleted: 37. GRADY's actions **Deleted: SCHMALFELDT's** WMS 7/2/15 2.27 PM Deleted: GRADY is WMS 7/2/15 2.27 PM Deleted: WMS 7/2/15 2:27 PM Deleted: o WMS 7/2/15 2:27 PM **Deleted: SCHMALFELDT** WMS 7/2/15 2:27 PM Deleted: WMS 7/2/15 2:27 PM **Deleted:** GRADY exhibits WMS 7/2/15 2:27 PM Deleted: SCHMALFELDT WMS 7/2/15 2:27 PM Deleted: display an almost inhuman rage, all set off by SCHMALFELDT following through on a promise to embarrass anonymous, unsolicited "spam troll" commenters. **Deleted: SCHMALFELDT** WMS 7/2/15 2:27 PM Deleted: SCHMALFELDT WMS 7/2/15 2:27 PM Deleted: GRADY's Deleted: SCHMALFELDT Deleted: GRADY **Deleted: SCHMALFELDT**

Additional sums meant to punish or set an exan	ple when the defendant's actions were		
			WMS 7/2/15 2:27 PM
willful or malicious.			Deleted: SCHMALFELDT
			WMS 7/2/15 2:27 PM
57. With defamation per se, assum	ed damages <u>are generally available.</u>		Deleted: GRADY responsible
			WMS 7/2/15 2.27 PM
PRAYER FOR	RELIEF		Deleted: s
			WMS 7/2/15 2:27 PM
WHEREFORE, Plaintiff requests the f	ollowing relief:		Deleted: behavior
		1	WMS 7/2/15 2.27 PM
Punitive damages as deemed app	ropriate by a jury to hold defendants		Deleted: exceeding \$75
			WMS 7/2/15 2:27 PM
accountable for their reckless, disturbing	and bizarre defamation and to prevent	1.	Deleted: ;
		•	WMS 7/2/15 2:27 PM
further occurrences;			Deleted: GRADY
			WMS 7/2/15 2:27 PM
Compensatory damages and con	sequential damages in an amount of		Deleted: of SCHMALFELDT; WMS 7/2/15 2:27 PM
		1.7	Deleted: <#>A referral by this court to
\$500,000, from each defendant.	<u>-</u>	1 1	the FBI, the US Attorney and the US Postal
		·	Inspector's Service asking for an expedited
An order enjoining defendants fr	om engaging in further harassment,	1	investigation into crimes committed by GRADY that cannot be addressed in this
			Court, such as (1) forgery for creating a
of Plaintiff;		r	false document and forging
			SCHMALFELDT's signature on a letter, sending it to a co-conspirator in
Costs and fees incurred in the pre	osecution of this action; and		Germantown, MD, who then mailed it to
			WJJ Hoge III of Westminster, MD to make
Any further relief as the Jury and/or Cou	irt may deem just and appropriate.		it appear as if I had violated a no contact order; (2) Using the US Mail to perpetrate
			this fraud, (3) obstruction of justice for
			being involved in the scheme to provide
JURY DEN	IAND		false evidence to the Carroll County Circuit Court, (4) tampering with, falsifying or
*			creating evidence to be used in a court of
Plaintiff hereby demands a jury trial of a	ill issues in this action triable as of right	٠.	law against SCHMALFELDT, and (5)
by a jury Dated this 2nd day of July, 2015,		Λ.	other such crimes that cannot be remedied in a civil lawsuit but must be first
n	cn o ttu. i	į	investigated by law enforcement before
_ K (espectfully Submitted		charges can be brought,[5]
			WMS 7/2/15 2:27 PM
▼	·		Deleted: SCHMALFELDT
33.7	lliam M. Schmalfeldt, Sr,		WMS 7/2/15 2:27 PM
			Deleted:
	36 Washington Blvd. Lot 71		WMS 7/2/15 2:27 PM Deleted: 27 th
	cridge, MD 21075		WMS 7/2/15 2:27 PM
	10) 206-9637		Deleted: April
E-1	nail: bschmalfeldt@comcast.net		WMS 7/2/15 2.27 PM

Deleted:

Deleted:

WMS 7/2/15 2:27 PM

12

Page 2: [1] Deleted

WMS

7/2/15 2:27 PM

This case arises out of GRADY's anger over a harsh response he got to an unsolicited, anonymous comment on SCHMALFELDT's nowdormant blog, patriot-ombudsman.com. SCHMALFELDT had stated previous to February 8, 2014, that any anonymous attacks in the comment section of his blog would be dealt with harshly. Knowing this, GRADY filed an obscenity-laced, defamatory comment to SCHMALFELDT'S blog on February 7, 2014. SCHMALFELDT responded by following the IP address WordPress provides for each comment, tracing the source, connecting the source to other Internet identities associated with the same IP address, and learned the true name and address of the offending commenter through completely legal means, using information freely available online. Without revealing any information, such as home address, telephone number, and other PII, SCHMALFELDT made good on his threat to show other potential spam troll commenters that his threats were to be taken seriously. This did not sit well with GRADY, who later admitted himself to be suffering from Bipolar Disease and called himself a "highly functioning sociopath". This led to GRADY dropping his former Palatine Pundit identity, adopting a pseudonym of Paul Krendler (the FBI agent who has the top of his head sawed off in the movie "Hannibal", the creation of a members-only blog, then a public blog, all the while ramping up the hate level and his apparent

obsession with punishing SCHMALFELDT for his rejection of GRADY's comment.

3. By his actions, GRADY has terrorized SCHMALFELDT for over 15 months through his own unhinged, bizarre actions, his recruitment of like-minded individuals who joined in on the harassment, GRADY's single minded obsession with putting SCHMALFELDT behind bars, even if he had to make up the reasons (as he admits on the "members only" blog,) taunting SCHMALFELDT's 15-year struggle with Parkinson's disease and mocking SCHMALFELDT's wife, who is in the final stages of Scleroderma. Despite his frantic actions to keep his identity a secret, Schmalfeldt's years in investigative journalism proved valuable as he was able to ferret out "Krendler's" true identity of Patrick G. GRADY (Exhibit A)

Page 7: [2] Deleted	WMS	7/2/15 2:2 7 PM

- 25. False light is a term often used in the context of invasion of privacy claims which involves presenting a person in such a way that leaves a negative and inaccurate impression about that person. False light is a tort theory under which a claimant might sue for damage to reputation. The tort is defined in Restatement (Second) of Torts, Sec. 652E as:
- (1) the portrayal must be found to be "

- 26. In his member's only blog, GRADY asks his readers to send him any defamatory material they can come up with on SCHMALFELDT, even if they have to make it up. (Exhibit F) This included personal information, names, addresses of family members, my address, Google Earth shots of my home.
- 27. In a post on the public blog, dated April 23, 2015, GRADY writes:

It demonstrates – EVERY DAY – that it lacks the ability to put its spouse ahead of itself, the selfish bastard.

It demonstrates – EVERY DAY – its inability to love its spouse half as much as it hates me, which may be a tenth as much as it hates my friend John.

It demonstrates – EVERY DAY – its complete failure to consider the idea that it might sacrifice anything for the welfare of a person it claims to love.

It demonstrates – EVERY DAY – its diminished mental capacity in its inability to bring a minimal degree of focus to anything not

having to do with its collection of perverse obsessions with (in no particular order of importance or intensity): me, John Hoge, homosexuality, self-publishing and podcasting as public humiliation, insulting all icky girls as proxies for the ones it was too terrified of to look at, much less speak to in high school, all things related to human bio-waste management, and inserting its useless pee stick into the "pooter holes" (God help us!) of poor defenseless Cub Scouts like this one:

http://thinkingmanszombie.com/2015/04/23/good-morning-dumbfuck-7/
The Cub Scout in this stolen photo is that of SCHMALFELDT as an 8-year

28. In a post dated April 18, 2015, GRADY writes:

old.

That's you, Bill. I thought I had better be explicit because you're such a pathetic idiot you might think I wasn't referring to the demented trailer-dwelling cyber harassing stalker freak from Elkridge, Maryland.

For the rest of the Zombie Horde, this is an open thread for us to discuss him right under his nose and make him dance like a funny little monkey.

For example, what shade do you think his face is turning as he reads this?

Pepto Bismol

Breast Cancer Awareness

Prime Rib, medium well

Medium rare

Dude, chill...are you having a stroke?

Hulk pants purple

I say he's right at raw hamburger (the 70% crap, not the 85% good stuff) that's been sitting out for about six hours.

So tell me Bill, because I've never tried it – what *does* mayonnaise mixed with honey taste like when you lick it off your goo-covered little fingers?

http://thinkingmanszombie.com/2015/04/18/good-morning-dumbfuck/

Page 10: [4] Deleted WMS 7/2/15 2:27 PM

There can be no question that GRADY's behavior meets all the 32. criteria set by the Harris and Hamilton courts. GRADY knew what he was doing. The more popular his blog became, the more delight he took in mocking me. "Making the Monkey Dance," is how he puts it. The extreme and outrageous nature of claiming that a person who does not even have a misdemeanor criminal record is a "deranged cyberstalker" and repeating it often enough to have the effect of "Google Bombing" Schmalfeldt is antisocial behavior at best. The repeated referral of SCHMALFELDT as a "tremulous turd burglar" (ironic mockery of SCHMALFELDT's Parkinson's disease since Schmalfeldt has the non-tremor variety of the disease), the other colorful nicknames employed over the past 15 months - "Dumbfuck," "Lying Monkey Vulva," a "wife-beating sack of spongy penis meat"? Is this how people talk to each other? Is this to be the acceptable norm in society? Or is somebody, somewhere, going to enforce civility on those who seem to lack the ability to moderate their own behavior from behind assumed anonymity. As SCHMALFELDT has demonstrated, just because a person is anonymous today, a skilled investigator with years of experience, motivated by stopping the hatred being displayed by certain elements of the blogosphere, and patience, will eventually find out who you are.

- 33. Grady's mocking of SCHMALFELDT'S struggle with Parkinson's and the sneering contempt displayed by GRADY over Mrs. Schmalfeldt's fatal condition moves SCHMALFELDT to contemplate taking matters into his own hand. But then he would be the one in jail and GRADY would continue with his filthy lies.
 - 34. These quotes are from GRADY's blog, dated April 22, 2015.

How's the "beloved?" Been spending a lot of quality time with her, hmm?

You? Sad and miserable? Who would ever have thought that?

And why would you so "gladly oblige him?" Why would you not, as you have said, be devoting yourself to "time with Gail is the most important thing to me, now more than ever?"

Oh, wait, now I remember. Because you are a lying monkey vulva who hates John Hoge more than you love your own dying wife!

I suppose it shouldn't come to that, but how else are you going to prove to the intrepid internet reporters who write for money (totally unsubtle hint to the Zombie Horde!) when they come asking tenacious questions about why you felt the need to punch

your dying wife so hard that it causes that sort of disfigurement? By the way, you have until close of business

Eastern Time today to prove me wrong or you will force me to go ahead with my quite reasonable assumption that you beat the crap out of your wife because she left the mayonnaise jar open on the kitchen counter again, and that the last time she did it is the reason behind that lovely wandering eye.

http://thinkingmanszombie.com/2015/04/22/good-morning-dumbfuck-5/

SCHMALFELDT'S wife was born with a left eye that is slightly off axis medially. Common sense dictates that any man who loves his spouse is going to be moved to nearly violent anger by such expressions concerning his loved one whose days are numbered.

35. From the same post:

UPDATE – I notice that wife-beating sack of spongy penis meat missed his deadline this afternoon, making him, by his own stated standard of "evidence," an admitted and confirmed domestic abuser. Who am I to argue with the Pro Tips and dirty tricks of

the American Society of Professional Journalists? Their legendary Code of Ethics stands as a beacon of Truth, Justice and Fairness; a set of ethical precepts I would follow as closely as he did, if only I were real boy and not a top hat wearing cricket with a journalism degree from the Cracker Jack Box School of Pretentious, Fact-Deficient Crypto-Fabulism.

36. On the same day his hero, William John Joseph Hoge III lost in his attempt to have me convicted for violating his peace order, February 16, 2015, GRADY wrote the following:

ON THE BRIGHT SIDE:

Am I a high school loser, never made it with the ladies?

Do my kids hate me?

Is my wife a dying truck stop dolly?

Do I live on a meager pension and disability?

Am I a wannabe never was good enough to be washed-up radio host?

Have I so thoroughly trashed my reputation over the past ten years that I couldn't make a defamation suit stick to a refrigerator with an electromagnet?

Do I live in in a recyclable box?

Has the FUN mine run dry?

No. No. No. No. no, no, and oh, my heavens NOOOO!

http://thinkingmanszombie.com/2015/04/16/on-the-bright-side/

PUNITIVE

		
Page 12: [5] Deleted	WMS	7/2/15 2:27 PM

A referral by this court to the FBI, the US Attorney and the US Postal Inspector's Service asking for an expedited investigation into crimes committed by GRADY that cannot be addressed in this Court, such as (1) forgery for creating a false document and forging SCHMALFELDT's signature on a letter, sending it to a co-conspirator in Germantown, MD, who then mailed it to WJJ Hoge III of Westminster, MD to make it appear as if I had violated a no contact order; (2) Using the US Mail to perpetrate this fraud,

(3) obstruction of justice for being involved in the scheme to provide false evidence to the Carroll County Circuit Court, (4) tampering with, falsifying or creating evidence to be used in a court of law against SCHMALFELDT, and (5) other such crimes that cannot be remedied in a civil lawsuit but must be first investigated by law enforcement before charges can be brought, An order requiring GRADY to remove his Thinking Man's Zombie blog from the internet and to refrain from blogging until successful completion of a court ordered anger management class; For equitable relief as appropriate pursuant to applicable law, including but not limited to issuance of a Peace Order or Temporary Restraining Order to ensure GRADY does not retaliate against SCHMALFELDT for bringing this action;